

**BROKEN ARROW CITY COUNCIL  
AGENDA  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
April 20, 2010**

**6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Administration of Oaths of Office**
- 6. Consideration of Consent Agenda**
  - A. Acceptance of the minutes of the Planning Commission meeting held March 25, 2010.
  - B. Approval and authorization for the Mayor to sign a letter to the Oklahoma Military Department concerning street improvements at the new Armed Forces Reserve Center (AFRC) at Midway and 101st Street South.
  - C. Approval to excuse certain absences of Planning Commission Member Mickie Taylor due to employment obligations with AEP/PSO
  - D. Approval of Bids Received, Award the most advantageous, and Authorization to enter into a Construction Contract for Omaha and Elm Signalization
  - E. Acceptance of Utility Easement and Deed of Dedication from Marlin and Peggy Dunn, located In Sections 35 and 36, Township 18 North, Range 14 East
  - F. Acceptance of Utility Easement and Deed of Dedication from Michael S. and Belinda S. McDonald, located in the Northwest Quarter of Section 36, Township 18 North, Range 14 East
  - G. Acceptance of Public Improvement Eastern Oklahoma Oral and Maxillofacial Surgeons
  - H. Acceptance of Public Improvements Family Video
  - I. Acceptance of Public Improvements Millicent Pond II
  - J. Acceptance of Public Improvements Stone Ridge Towne Center
  - K. Approval of the Claims List
- 7. Consideration of Items Removed from Consent Agenda**
- 8. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
  - A. Approval of Proclamation declaring the week of April 18 - 24, 2010, as Volunteers in Police service week, recognition of Volunteers, and brief presentation
  - B. Approval of Proclamation declaring the week of May 2-9, 2010 as "Youth Week"

**9. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (approximately 7:00 p.m.)**

**10. General Council Business**

- A. BACP 110 and BAZ 1843, Korean Church of Tulsa, 3.28 acres, Level 1 to Level 2, R-1 to ON, southeast corner of Olive Avenue (129th East Avenue) and 68th Street South.
- B. Consideration and Possible approval of First Amendment to Memorandum of Understanding Regarding the ONG Pipeline Relocation between the City of Broken Arrow and Roland Investments, Ltd.
- C. Consideration and Possible approval of Second Amendment to Memorandum of Understanding regarding the proposed conference center site between the City of Broken Arrow and Roland Investments, Ltd.
- D. Approval of Resolution of Necessity No. 649 to condemn property located in the Northwest Quarter of Section 2, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma
- E. Consideration and possible approval of nominations for the Broken Arrow Economic Development Corporation Board of Directors
- F. Consideration of and possible approval to reschedule the June 2010 City Council meetings from June 1 and 15, 2010 to June 7 and 21, 2010
- G. Consideration and possible approval of request to waive the requirement for rezoning prior to reconstruction of structure on property, for Therman and Mary Jones property (522 N Main Street)
- H. Receive for consideration an official ballot from the Oklahoma Municipal Assurance Group to fill two Trustee positions for 3-year terms and approval to submit for Council to select two nominees at the May 4, 2010 meeting of the City Council

**11. City Manager's Report**

**12. Preview Ordinances**

- A. Preview of Corrected Ordinance No. 3068 amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1802 and Specific Use Permit 225, granting a CH zoning classification be placed upon the tracts, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency.
- B. An ordinance amending Chapter 5, Article I, Section 5-11 of the Broken Arrow Code pertaining to Restriction on location of stables, kennels, coops, etc.; repealing all ordinances to the contrary; and declaring an emergency.
- C. An Ordinance amending Chapter 5, Article I, Section 5-22, which pertains to Keeping of animals other than dogs and cats; repealing all ordinances to the contrary; and declaring an emergency

**13. Ordinances**

- A. Ordinance No. 3105 An ordinance amending Article 3, Section 3.2. aa of the Land Subdivision Code of the City of Broken Arrow, Oklahoma, pertaining to building structure setbacks from high pressure pipelines, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency.

- B. Ordinance No. 3107 An ordinance amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma, amending Ordinance No. 2931, Section 6.4.D.1, pertaining to Planned Unit Development Procedures repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency.
- C. Ordinance No. 3109 amending Chapter 14, Article I, Section 14-32 of the Broken Arrow Code pertaining to Costs upon judgment of conviction; repealing all ordinances to the contrary; and declaring an emergency

**14. Remarks and Inquiries by Governing Body Members**

- 15. Executive Session** for the purpose of confidential communications and possible action as necessary in open session between the City Council, the City Manager, and the City Attorney on matters concerning the award of court cost and possible resolution involving the Dalton Laidley, a minor child, by and through his father and next friend, Steven Laidley v. City of Broken Arrow, Tulsa County District Court Case Number: CJ-2007-07000; and The City of Broken Arrow, a Municipal Corporation v. Tag Outdoor Advertising, L.L.C., Supreme Court Case Number 106,260, both under 25 O.S. § 307(B)(4); discussing and possible authorization in open session the purchase and appraise real property located in the area of the Creek Turnpike and Elm Place, under 25 O.S. §307(B)(3); and an update on the status of negotiations with the FOP, under 25 O.S. § 307(B)(2). The Council is advised that disclosure will seriously impair the ability of the public body to process this pending litigation and claim in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

**16. Adjournment**

**NOTICE:**

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this \_\_\_\_ day of \_\_\_\_\_, 2010, at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
City Clerk